

IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

26th day November, 2013

PRESENT:

ABSENT:

RESOLUTION NO. _____

RESOLUTION ESTABLISHING SPECIAL FINDINGS RELATED TO ADOPTION
OF THE 2013 CALIFORNIA FIRE CODE AND AMENDMENTS BASED ON LOCAL
CLIMATIC, GEOGRAPHICAL AND TOPOGRAPHICAL CONDITIONS.

The following resolution is hereby offered and read:

WHEREAS, it is the desire and intent of the Board of Supervisors of San Luis
Obispo County to provide citizens with the greatest degree of protection from fire; and

WHEREAS, the California Building Standards Code, Title 24, which incorporates the
California Fire Code, is adopted every three years by order of the California Legislature with
supplements published in intervening years; and

WHEREAS, latest edition of the California Building and Standards Code was
published this year and has the force of law beginning January 1, 2014 and the Board of
Supervisors desires to make local additions, amendments and deletions thereto as authorized
by California Health and Safety Code Sections 18941.5 and 17958.5; and

WHEREAS, the Ordinance introduced on this date will amend the San Luis Obispo
County Code Chapter 16.10 so that it adopts and amends the 2013 California Fire Code,
including Appendix Chapter 4 and Appendices, BB C, CC, F, H, I and K , as modified and
amended, including annual supplements and state amendments and errata; and

WHEREAS, the Board of Supervisors of San Luis Obispo County desires to make findings as required by California Health and Safety Code Sections 17958.7 and 18941.5 that because of climatic, geographical and topographical conditions that exist within San Luis Obispo County, the amendments to the adopted codes are necessary to protect citizens' life, health, the community environment and property; and

WHEREAS, the Fire Chief for San Luis Obispo County has prepared a Report and Findings setting forth the underlying factual support for the required local findings, a copy of which is attached hereto as Exhibit A and incorporated herein by reference as though fully set forth herein.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, as follows:

1. That the recitals set forth hereinabove are true, correct, valid and incorporated into the body hereof by this reference.

2. Based upon the facts contained in the Report and Findings attached as Exhibit A, the Board of Supervisors hereby makes findings that because of climatic, geographical and topographical conditions that exist throughout the unincorporated areas of San Luis Obispo County, the amendments to the adopted codes are necessary to protect the life, health, environment and property within the unincorporated areas of San Luis Obispo County. Said Report and Findings is hereby approved and adopted in the form set forth in Exhibit A.

Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing Resolution is hereby adopted.

Chairperson of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGAL EFFECT:

Rita L. Neal
County Counsel

By: _____
Deputy County Counsel

DATED: October 29, 2013

EXHIBIT A
SAN LUIS OBISPO COUNTY FIRE DEPARTMENT
REPORT AND FINDINGS

The Board of Supervisors of the County of San Luis Obispo finds that in order to best protect the health, safety and welfare of the citizens of the County of San Luis Obispo, the standards of building within the County must conform with State law except where local conditions warrant more restrictive regulations.

Pursuant to Sections 17958.7 and 18941.5 of the California Health and Safety Code, this *Report and Findings* constitutes the findings to support the proposed Ordinance Amending Chapter 16.10 of the San Luis Obispo County Code by Adopting and Amending the 2013 Edition of the California Fire Code, Including Annual Supplements and State Amendments and Errata (“Ordinance”). Pursuant to the Ordinance, specific amendments have been established which are more restrictive in nature than those sections adopted by the State of California and contained in Title 24 and Title 25 of the California Code of Regulations.

The amendments to the 2013 Edition of the California Fire Code, and is part of the California Code of Regulations/California Buildings and Standards Code, Title 24, Part 9), are necessary to address the unique fire problems facing San Luis Obispo County due to the unique local conditions as noted below.

Under the provisions of Sections 17958.5 and 18941.5 of the Health and Safety Code, local amendments shall be based on climatic, geographical, or topographical conditions. The findings contained herein shall address each of these situations and shall present the local conditions which cause the need for the amendments to be adopted.

SAN LUIS OBISPO COUNTY PROFILE

San Luis Obispo County has over 257,000 residents and an area of 3,316 sq. mi. It includes diverse topography, including beaches and coastline bluffs, extensive agriculture, oak and coniferous forests, mountains, and high deserts. There is significant critical infrastructure in the County, which has experienced rapid growth in recent years. The County has a history of earthquakes, including the 2003 San Simeon Earthquake (two deaths, \$239 million damage), and is the home to Diablo Canyon Nuclear Power Plant. The County’s northern and eastern borders are relatively remote, and as a result we cannot rely on timely mutual aid responses from neighboring counties in those directions.

Significant critical infrastructure exists in the County, including: Diablo Canyon Nuclear Power Plant, one commercial gas-fired electrical power plant, and 535 mi. of 110-500kv transmission lines; four drinking water reservoirs, 70 mi. of water transmission pipelines, one pumping station and one holding station; two sea ports; 110 mi. of roadways designated as National Security Route and part of the Strategic Highway Network with 21 major bridges; two National Guard bases, housing active Army satellite, maintenance and fiscal operations; 72 mi. of main line railroad with seven major bridges, five tunnels and a switchback loop; one prison facility with 6,500 inmates (directly below the afore-mentioned railroad switchback loop) one commercial service airport, one general aviation airport, one basic utility airport, and one FAA navigational beacon; one oil refinery, three oil pipeline pumping stations, and 215 mi. of 12-26 inch oil and natural gas transmission pipelines; one departure hub for oceanic telecommunication cables; Hearst Castle and other state parks; one campus of the California State University system, with 19,000 students, performing arts and sports venues; two community college campuses, with 11,150 students, performing arts and sports venues; five acute care hospitals; and, one maximum-security mental hospital with up to 1,200 patients.

Local wineries, beaches, and other attractions draw large numbers of tourists into the area, with resulting planning and security issues. The region has a long history of earthquakes, and is a designated tsunami hazard area. One of only three major north-south highway routes in California passes through the County, as does one of only two major north-south railway lines. Any disruptions to highway or railroad transportation would have significant impacts over a much larger area. Additionally, any such disruptions could totally isolate the region from other parts of the state, significantly limiting the amount of outside help available during an emergency.

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After due consideration the County Board of Supervisors of the County of San Luis Obispo hereby finds that due to local climatic, geologic and topographic conditions as stated in this section, that modifications and changes to the current California Building Standards Code are reasonably necessary to provide sufficient and effective protection of life, health and property.

Climatic: The hot, dry weather in combination with Santa Lucia winds frequently results in wildland fires in areas of the County of San Luis Obispo. These conditions create an environment where the entirety of local fire department personnel is required to control, monitor, fight and protect against such fire situations in an effort to protect life and preserve property. The same climatic conditions may result in the concurrent occurrence of one or more fires in the more populated areas of the County without adequate fire department personnel to protect against and control such a situation. During such periods, limited fire-fighting resources support the imposition of greater fire-protection requirements than set forth in the 2013 California Fire Code.

Geological: The County of San Luis Obispo is in an area of high seismic risk. Four active faults are within the county, each capable of generating large, damaging earthquakes. These faults are: the San Andreas Fault, which trends northwest-southeast near the eastern boundary of San Luis Obispo County; the San Simeon Fault, which is part of the larger Hosgri Fault Zone and parallels the coastline in the northern part of San Luis Obispo County; the Los Osos Fault, which parallels the Los Osos Valley a few miles southwest of the city of San Luis Obispo; and the Oceanic Fault, which runs from the city of San Luis Obispo northwest toward the community of Cambria, and was the fault responsible for the Magnitude 6.5 San Simeon earthquake that affected the region in December 2003. In addition, there are several potentially active faults within the county, including the Rinconada Fault, the Huasna Fault, and the Nacimiento Fault Zone. These faults could also produce large earthquakes.

Earthquakes from these faults could produce primary effects such as strong ground shaking or ground rupture, and secondary effects such as liquefaction and landslides. These primary and secondary effects pose a significant hazard to the county's building stock and infrastructure, and to public health and safety. These hazards include strong shaking causing collapse of vulnerable buildings and bridges, ground rupture affecting roads and highways, and liquefaction damaging buildings, pipelines (water, gas, sewage), marine facilities (docks, jetties), railroads, and airports. Fire from broken gas lines and the lack of water from broken water lines could result in major damage. Landslides caused by strong shaking, possibly in combination with wet weather conditions, could block highways and railroads, thereby isolating parts of the county and affecting emergency response. Earthquake-induced landslides could also produce rockfalls that could strike and damage buildings and vehicles. Tsunamis could inundate the coastline. The protection of human life and the preservation of property in the event of such an occurrence support the imposition of fire protection requirements greater than set forth in the 2013 California Fire Code.

Topographical: The County of San Luis Obispo has rural areas that are in very high fire hazard areas. Due to varied topography, access to structures in rural areas increases response time and delays fire suppression efforts. An extended response time will allow fires to grow beyond the control of initial attack fire suppression resources. Large structure fires in the hillside areas will have a greater likelihood of starting a wildland fire, which may expose additional structures to fire. The above described problems support the imposition of built-in fire protection requirements greater than those set forth in the 2013 California Fire Code.

CONCLUSION

The amending and adoption of the 2013 California Fire Code identifies a legally accepted and recognized means to insure public safety and proper protection from fire. The

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adoption of these Codes together with the amendments provides a reasonable and established means of adequately protecting life, environment and property in the unincorporated parts of San Luis Obispo County.

Based on these findings, Ordinance No. _____, will provide effective protection of the residents, the environment, as well as property and help reduce the ravages of fire.

While the adoption of stringent regulations may not prevent all incidents of fire or deaths from fire, the implementation of the various codes and/or requirements will reduce the severity and potential for the loss of life, damage to the environment and property in the unincorporated parts of San Luis Obispo County.

Prepared by: Laurie Donnelly, Battalion Chief/ Fire Marshal

Submitted by: Robert Lewin, Chief